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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/824,261	04/14/2004	Muhammad Rahim	4005-040346	6498
28289	7590	06/13/2005		
THE WEBB LAW FIRM, P.C. 700 KOPPERS BUILDING 436 SEVENTH AVENUE PITTSBURGH, PA 15219			EXAMINER PHAN, THO GIA	
			ART UNIT 2821	PAPER NUMBER

DATE MAILED: 06/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/824,261

Applicant(s)

RAHIM, MUHAMMAD

Examiner

Tho G. Phan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8, 31 and 34-37 is/are rejected.
- 7) ☒ Claim(s) 6, 7, 9-30, 32 and 33 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/4/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 2 and 8 are objected to because of the following informalities:

In claim 2, line 3, "are" should change to --area--.

In claim 8, line 2, "at" should change to --and--.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5, 8, 31 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's prior art figure 1 in view of Johnson et al (6,720,930).

Applicant's prior art figure 1 discloses an antenna arrangement for use in connection with communicating with and identifying at least one identification element in operable communication with at least one object located in an enclosure 14 having at least one "null" signal region 20, the antenna arrangement comprising: a primary antenna loop element 10 positioned in operable communication with the enclosure and the at least one identification element positioned within the enclosure, the primary antenna loop element configured to communicate with the at least one identification element and receive a signal from the at least one identification element, at least one feed point mechanism 18 in communication with the primary antenna loop element 10 and configured to at least one of energize the primary antenna

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loop element, transmit signals and receive signals (see paragraph [0009]), wherein the primary antenna loop element 10 further comprises a perimeter portion 12 positioned substantially adjacent a corresponding perimeter area of a surface 16 of the enclosure, wherein the surface 16 acts as a shelf and supports the at least one object thereon (see paragraph 0009, line 13).

Applicant's prior art figure 1 has been discussed but fails to teach at least one subsequent loop antenna element in operable communication with the enclosure and the at least one identification element positioned within the enclosure, the at least one subsequent antenna element configured to substantially eliminate the signal "null" region, such that at least one of the primary loop element and the subsequent antenna element can communicate with the identification element, the loop antennas being positioned adjacent a respective surface and a tuning mechanism.

However, Johnson et al in figures 1-2 disclose at least one subsequent loop antenna element 12/14 in operable communication with the enclosure, the at least one loop antenna element configured to substantially eliminate the signal "null" region, such that at least one of the first loop element and the second loop antenna element can communicate with the identification element (see abstract, and column 1, lines 55-65), the loop antennas being positioned adjacent a respective surface (see column 4, lines 39-48) and a tuning mechanism 28 (see column 4, lines 9-10). It would have been obvious to provide Applicant's prior art figure 1 with at least one subsequent loop antenna element in operable communication with the enclosure and the at least one identification element positioned within the enclosure, the at least one subsequent antenna element configured to substantially eliminate the signal "null" region, such that at least one of the primary loop element and the subsequent antenna element can communicate with the identification element, the loop antennas being positioned adjacent a respective surface and a

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tuning mechanism for the purpose of reducing interference and thereby allowing an RFID transponder to be successfully interrogated despite the orientation of the transponder as it passed through the electromagnetic field (see abstract).

4. Claims 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's prior art figure 1 modified by Johnson et al and further in view of Raistrick et al (6,877,658).

Applicant's prior art figure 1 modified by Johnson et al have been discussed above but fail to teach a label and a container of a medical device. However, Raistrick et al in figures 1-2 teach a label and a container of a medical device (see abstract). It would have been obvious to provide a label and a container of a medical device as taught by Raistrick et al for the purpose of scanning the RFID label which located on the medicine container.

Allowable Subject Matter

5. Claims 6-7, 9-30 and 32-33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

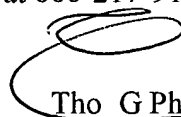
Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The patents to Barber et al and Dettloff are cited as of interested and illustrated a similar structure to an RFID transponder assembly.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tho G. Phan whose telephone number is 571-272-1826. The examiner can normally be reached on M-F, 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tho G Phan
Primary Examiner
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